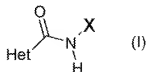


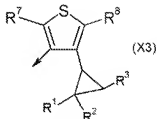
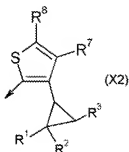
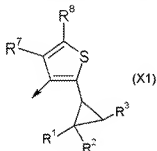
AMENDMENTS TO THE CLAIMS

1. (Currently amended) A compound of formula (I):



wherein

X is (X1), (X2) or (X3);



Het is pyrrolyl, pyrazolyl, thiazolyl, or pyridinyl a 5- or 6-membered heterocyclic ring containing one to three heteroatoms, each independently selected from oxygen, nitrogen and sulphur, ~~provided that the ring is not 1,2,3-triazole~~, the ring being substituted by groups R⁴, R⁵ and R⁶;

R¹ and R² are each, independently, hydrogen, halo or methyl;

R³ is optionally substituted C₂₋₁₂ alkyl, optionally substituted C₂₋₁₂ alkenyl, optionally substituted C₂₋₁₂ alkynyl, optionally substituted C₃₋₁₂ cycloalkyl, optionally substituted phenyl or optionally substituted heterocyclyl;

R⁴, R⁵ and R⁶ are each, independently, selected from hydrogen, halo, cyano, nitro, C₁₋₄ alkyl, C₁₋₄ haloalkyl, C₁₋₄ alkoxy(C₁₋₄)alkylene and C₁₋₄ haloalkoxy(C₁₋₄)alkylene, provided that at least one of R⁴, R⁵ and R⁶ is not hydrogen; and

R⁷ and R⁸ are each, independently, hydrogen, halogen, C₁₋₄ alkyl or C₁₋₄ haloalkyl.

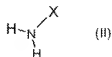
2. Cancelled.

3. (Previously presented) A compound of formula (I) as claimed in claim 1, where R¹ and R² are, independently, hydrogen or fluoro.

4. (Previously presented) A compound of formula (I) as claimed in claim 1, where R³ is C₂₋₆ alkyl, optionally substituted C₃₋₆ cycloalkyl, phenyl, thienyl or furyl.

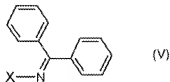
5. (Previously presented) A compound of formula (I) as claimed in claim 1, where R^4 , R^5 and R^6 are, independently, selected from hydrogen, halogen, C_{1-4} alkyl, C_{1-4} haloalkyl and C_{1-4} alkoxy(C_{1-4})alkylene, provided that at least one of R^4 , R^5 and R^6 is not hydrogen.

6. (Original) A compound formula (II):



where X and R^3 are as defined in claim 1; and R^1 , R^2 , R^7 and R^8 are each hydrogen.

7. (Original) A process for preparing a compound of formula (II) as claimed in claim 6 from a compound of formula (V):



where X, R^1 , R^2 , R^3 , R^7 and R^8 are as defined in claim 6, comprising either a transamination reaction of a compound of formula (V) with hydroxylamine hydrochloride in the presence of a base or a hydrolysis reaction of a compound of formula (V) with an acid.

8. (Original) A process for preparing a compound of formula (V) as defined in claim 7 from a compound of formula (IV):



where X, R^1 , R^2 , R^3 , R^7 and R^8 are as defined in claim 6, comprising tris-dibenzylidenacetonepalladium-catalysed reaction of a compound of formula (IV) with benzophenoneimine in the presence of a strong base and a ligand in a solvent at a temperature between 30°C and reflux temperature.

9. (Original) A composition for controlling microorganisms and preventing attack and infestation of plants therewith, wherein the active ingredient is a compound of formula (I) as claimed in claim 1 together with a suitable carrier.

10. (Original) A method of controlling or preventing infestation of cultivated plants by phytopathogenic microorganisms by application of a compound of formula (I) as claimed in claim 1 to plants, to parts thereof or the locus thereof.